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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,255	09/21/2006	Richard Ganley	19036/41594	7553
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MARSHALL, GERSTEIN & BORUN LLP			MONIKANG, GEORGE C	
233 S. WACKER DRIVE, SUITE 6300				
SEARS TOWER			ART UNIT	PAPER NUMBER
CHICAGO, IL 60606			2615	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/564,255	GANLEY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	GEORGE C. MONIKANG	2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 January 2006.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-54 is/are pending in the application.  
 4a) Of the above claim(s) 5 and 13-16 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4,6-12 and 17-54 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. 10/564,255.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 1/10/2006.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_ .  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 6-12, 17, 19, 26-27, 29-32, 34-38, 40-47 & 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532.

3. Re Claim 1, Ashida et al discloses a microphone communication system comprising: one or more controllers having network interfaces (*fig. 1; col. 1, lines 10-35*); and one or more receivers having the network interfaces and being configured to receive a wave from a transmitter of a microphone (*fig. 1; col. 1, lines 10-35*); wherein the one or more receivers are coupled to the one or more controllers on network (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller receives, from the one or more receivers, information of the receiver through the network (*fig. 1; col. 1, lines 10-35*); each controller causes the received information of the receiver to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding input device (*fig. 1; col. 1, lines 10-35*); each controller receives character string information from the corresponding input device and sends the character string information to another controller through the network (*fig. 1; col. 1, lines 10-35*); and each controller causes the character string information input from the

corresponding input device and the character string information from the another controller to be displayed on the corresponding display device together with the information of the receiver (*fig. 1; col. 1, lines 10-35*).

4. Ashida et al does not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

5. Claim 3 has been analyzed and rejected according to claim 1.

6. Re Claim 4, which further recites, "Wherein each controller creates an alarm message based on the received information of the receiver and causes the alarm message to be displayed on the corresponding display device." Ashida et al fails to disclose a controller creating an alarm message being displayed. Official notice is taken that both the concepts and advantages of creating an alarm message being displayed are well known in the art. It would have been obvious to create an alarm message being displayed such as a T.V. set with a display alarm message to alert a user.

7. Re Claim 6, Ashida et al discloses the wireless microphone communication system according to claim 1, wherein the character string information is displayed as being associated with one information within information of plural receivers on the display device (*fig. 1; col. 1, lines 10-35*); and the character string information is

information relating to a receiver corresponding to the one information within the information of the plural receivers (*fig. 1; col. 1, lines 10-35*).

8. Re Claim 7, which further recites, "Wherein the character string information is displayed to have a color identical to a color of the one information within the information of the plural receivers." Ashida et al fails to disclose a color identity. Official notice is taken that using a color identity is well known in the art. It would have been obvious to use color identity to distinguish between displays.

9. Re Claim 8, Ashida et al discloses the wireless microphone communication system according to claim 6, wherein the character string information is located in the vicinity of the one information within the information of the plural receivers on the display device (*fig. 1; col. 1, lines 10-35: the microphone picks up information within the same vicinity*).

10. Re Claim 9, Ashida discloses the wireless microphone communication system according to claim 1, wherein each receiver receives a control signal from any one of the controllers and changes a setting condition according to the control signal (*fig. 1; col. 1, lines 10-35: there are 2 sets of controls that control information based on the incoming signal*).

11. Re Claim 10, which further recites, "Wherein the controller is configured by a computer." Ashida et al does not disclose the controller being configured by a computer as claimed. Official notice is taken that both the concepts and advantages of using a computer to control the controller are well known in the art. Thus it would have been

obvious to use a computer since they are commonly used to process and distribute information.

12. Re Claim 11, Ashida et al discloses the wireless microphone communication system according to claim 10, wherein one application program running on each computer causes the character string information input from the corresponding input device and the character string information from another computer to be displayed on one window of the corresponding display device together with the information from the receiver (*fig. 1; col. 1, lines 10-35: each controller causes its information to be showed on its respective display*).

13. Re Claim 12, Ashida et al discloses the wireless microphone communication system according to claim 1, further comprising: a television camera; wherein the television camera is coupled onto the network (*fig. 1; col. 1, lines 10-35*); and an image from the television camera is displayed on the display device of each controller together with the information of the receiver (*fig. 1; col. 1, lines 10-35*).

14. Ashida et al does not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

15. Re Claim 17, Ashida et al discloses a microphone communication system comprising: one or more controllers having network interfaces (*fig. 1; col. 1, lines 10-*

35); one or more receivers having the network interfaces and being configured to receive a radio wave from a transmitter of a microphone (*fig. 1; col. 1, lines 10-35*); and a television camera coupled onto network (*fig. 1; col. 1, lines 10-35*); wherein the one or more receivers are coupled to the one or more controllers on the network (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller receives, from the one or more receivers, information of the receiver through the network (*fig. 1; col. 1, lines 10-35*); each controller causes the received information of the receiver to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); an image from the television camera is displayed on the display device of each controller together with the information of the receiver (*fig. 1; col. 1, lines 10-35*).

16. Ashida et al does not disclose the microphone being wireless, a storage means to store the information from the controller nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone, a storage medium and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone, a storage medium and a LAN network to make the system more efficiently with less wiring, to have the ability to later access the information and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

17. Claim 19 has been analyzed and rejected according to claim 17.
18. Claims 26-27 have been analyzed and rejected according to claim 6.
19. Claims 29-32 have been analyzed and rejected according to claim 9.

20. Claims 34-38 have been analyzed and rejected according to claim 10.
21. Claims 40-47 have been analyzed and rejected according to claim 12.
22. Claim 54 has been analyzed and rejected according to claim 4.
- 23.

24. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

25. Claims 2, 18, 25, 28, 33, 39 & 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, in view of Todd, US patent 5,072,442.

26. Re Claim 2, Ashida et al discloses a microphone communication system comprising: one or more controllers that have network interfaces (fig. 1; col. 1, lines 10-35) and are coupled to a receiver configured to receive a wave from a transmitter of a microphone (fig. 1; col. 1, lines 10-35); wherein the controllers are coupled on network (fig. 1; col. 1, lines 10-35); each controller is coupled to a corresponding display device (fig. 1; col. 1, lines 10-35); each controller receives, through the network, information of the receiver coupled to another controller from the another controller coupled to the receiver (fig. 1; col. 1, lines 10-35); each controller causes the information of the

receiver that has been received through the network to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller that is coupled to the receiver causes the information from a corresponding receiver and the information of the receiver that has been received through the network to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding input device (*fig. 1; col. 1, lines 10-35*); each controller receives character string information from the corresponding input device and sends the character string information to another controller through the network (*fig. 1; col. 1, lines 10-35*); and each controller causes the character string information input from the corresponding input device and the character string information from the another controller to be displayed on the corresponding display device together with the information of the receiver (*fig. 1; col. 1, lines 10-35*); but fails to disclose one or more controllers that have the network interfaces and are not coupled to the receiver.

However, Todd does (*fig. 8: 55*).

27. Taking the combined teachings of Ashida et al and Todd as a whole, one skilled in the art would have found it obvious to modify the microphone communication system comprising: one or more controllers that have network interfaces (*fig. 1; col. 1, lines 10-35*) and are coupled to a receiver configured to receive a radio wave from a transmitter of a microphone (*fig. 1; col. 1, lines 10-35*); wherein the controllers are coupled on network (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller receives, through the network, information of the receiver coupled to another controller from the another controller

coupled to the receiver (*fig. 1; col. 1, lines 10-35*); each controller causes the information of the receiver that has been received through the network to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller that is coupled to the receiver causes the information from a corresponding receiver and the information of the receiver that has been received through the network to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding input device (*fig. 1; col. 1, lines 10-35*); each controller receives character string information from the corresponding input device and sends the character string information to another controller through the network (*fig. 1; col. 1, lines 10-35*); and each controller causes the character string information input from the corresponding input device and the character string information from the another controller to be displayed on the corresponding display device together with the information of the receiver (*fig. 1; col. 1, lines 10-35*) of Ashida et al with one or more controllers that have the network interfaces and are not coupled to the receiver as taught in Todd (*fig. 8: 55*) to limit interference between the communication system.

28. The combined teachings of Ashida et al and Todd do not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

29. Claim 18 has been analyzed and rejected according to claims 2 & 17.
30. Claim 25 has been analyzed and rejected according to claims 2 & 6.
31. Claim 28 has been analyzed and rejected according to claims 2 & 9.
32. Claim 33 has been analyzed and rejected according to claims 2 & 10.
33. Claim 39 has been analyzed and rejected according to claims 2 & 12.
34. Claim 53 has been analyzed and rejected according to claims 2 & 4.

  

35. Claims 20, 22, 24 & 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, in view of Levinson et al, US patent Pub. 2002/0129379 A1.
36. Re Claim 20, Ashida et al discloses a microphone communication system comprising: one or more controllers having network interfaces (*fig. 1; col. 1, lines 10-35*); one or more receivers having the network interfaces and being configured to receive a radio wave from a transmitter of a microphone (*fig. 1; col. 1, lines 10-35*); a television camera (*fig. 1; col. 1, lines 10-35*); and a storage means; wherein the one or more receivers are coupled to the one or more controllers on network (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller receives, from the one or more receivers, information of the receiver through the network (*fig. 1; col. 1, lines 10-35*); each controller causes the received information of the receiver to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); at least one of the controllers receives image information

from the television camera (*fig. 1; col. 1, lines 10-35*); but fails to disclose detecting information of RF level from; and the controller that receives the image information determines whether or not the detected RF level is not higher than a predetermined level, and when determining that the detected RF level is not higher than the predetermined level, the controller causes the image information to be processed.

However, Levinson et al does (*para 0075*).

37. Taking the combined teachings of Ashida et al and Levinson et al as a whole, one skilled in the art would have found it obvious to modify the microphone communication system comprising: one or more controllers having network interfaces (*fig. 1; col. 1, lines 10-35*); one or more receivers having the network interfaces and being configured to receive a radio wave from a transmitter of a microphone (*fig. 1; col. 1, lines 10-35*); a television camera (*fig. 1; col. 1, lines 10-35*); and a storage means; wherein the one or more receivers are coupled to the one or more controllers on network (*fig. 1; col. 1, lines 10-35*); each controller is coupled to a corresponding display device (*fig. 1; col. 1, lines 10-35*); each controller receives, from the one or more receivers, information of the receiver through the network (*fig. 1; col. 1, lines 10-35*); each controller causes the received information of the receiver to be displayed on the corresponding display device (*fig. 1; col. 1, lines 10-35*); at least one of the controllers receives image information from the television camera (*fig. 1; col. 1, lines 10-35*) of Ashida et al with detecting information of RF level from; and the controller that receives the image information determines whether or not the detected RF level is not higher than a predetermined level, and when determining that the detected RF level is not

higher than the predetermined level, the controller causes the image information to be processed as taught in Levinson et al (*para 0075*) for easier maintenance of the system.

38. The combined teachings of Ashida et al and Levinson et al do not disclose the microphone being wireless, a storage means to store the information from the controller nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone, a storage medium and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone, a storage medium and a LAN network to make the system more efficiently with less wiring, to have the ability to later access the information and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

39. Claim 22 has been analyzed and rejected according to claim 20.

40. Claim 24 has been analyzed and rejected according to claim 20.

41. Claim 51 has been analyzed and rejected according to claim 20.

42.

43. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, in view of Todd, US patent 5,072,442, and further in view of Levinson et al, US patent Pub. 2002/0129379 A1.

44. Claim 21 has been analyzed and rejected according to claims 2 and 20.

45. Claims 23, 49 & 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532 and Levinson et al, US patent Pub.

2002/0129379 A1 as applied to claim 20, and further in view of Kawasaki et al, US Patent 7,054,625 B2.

Re Claim 23, Ashida et al and Levinson et al disclose the wireless microphone communication system according to claim 20, determining that the detected RF level is not higher than the predetermined level, the controller that receives the image information causes the image information to be stored (Levinson et al, para 0075); but fails to disclose a time measuring means; wherein the controller that receives the image information receives time information from the time measuring means. However, Kawasaki et al does (col. 4, lines 58-67).

Taking the combined teachings of Ashida et al, Levinson et al and Kawasaki et al as a whole, one skilled in the art would have found it obvious to modify the wireless microphone communication system according to claim 20, determining that the detected RF level is not higher than the predetermined level, the controller that receives the image information causes the image information to be stored (Levinson et al, para 0075) of Ashida et al and Levinson et al with a time measuring means; wherein the controller receives time information from the time measuring means as taught in Kawasaki et al (col. 4, lines 58-67) to calculate the elapsed time of the signal.

Claim 49 has been analyzed and rejected according to claim 23.

Claim 52 has been analyzed and rejected according to claims 20 & 23.

46. Claims 48 & 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, Todd, US patent 5,072,442, and Levinson et al, US patent Pub. 2002/0129379 A1, in view of Kawasaki et al, US Patent 7,054,625 B2.
47. Claim 48 has been analyzed and rejected according to claims 2, 20 & 23.
48. Claim 50 has been analyzed and rejected according to claims 2 & 20.

**Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE C. MONIKANG whose telephone number is (571)270-1190. The examiner can normally be reached on M-F. alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C Monikang/  
Examiner, Art Unit 2615

4/9/2008

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